

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEPHEN LEE,

Plaintiff,

v.

CAPITAL ONE BANK (USA), N.A., et al.,

Defendants

No. 08-5656 MMC

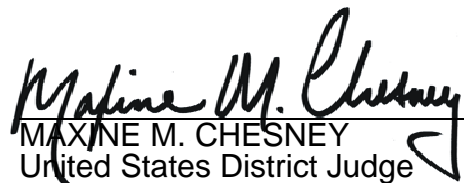
**ORDER GRANTING PLAINTIFF'S
MOTION FOR LEAVE TO FILE SECOND
AMENDED COMPLAINT; VACATING
HEARING**

Before the Court is plaintiff's "Motion for Leave to File Amended Complaint," filed January 7, 2009, as supplemented February 7, 2009. Defendant NCO Financial Systems, Inc. has filed a Statement of Non-Opposition.¹

Having read and considered the unopposed motion, the Court VACATES the March 20, 2009 hearing, and hereby GRANTS the motion. Plaintiff is hereby DIRECTED to file his proposed Second Amended Complaint no later than March 14, 2009.

IT IS SO ORDERED.

Dated: February 27, 2009


MAXINE M. CHESNEY
United States District Judge

¹By notice filed January 21, 2009, plaintiff voluntarily dismissed his claims against defendant Capital One Bank (USA), N.A.